

Honorable James L. Robart

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

**UNITED STATES OF AMERICA,**  
**Plaintiff,**  
**v.**  
**DAVID KUBALA,**  
**Defendant.**

**NO. CR22-057 JLR**  
**ORDER GRANTING UNOPPOSED**  
**MOTION TO CONTINUE TRIAL**  
**AND PRETRIAL MOTIONS**  
**DEADLINE**

THE COURT has considered the unopposed motion of the parties to continue the trial date and pretrial motions deadline and finds that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

1 (c) the additional time requested is a reasonable period of delay, as the defendant  
2 has requested more time to prepare for trial, to investigate the matter, to gather evidence  
3 material to the defense, and to consider possible defenses; and

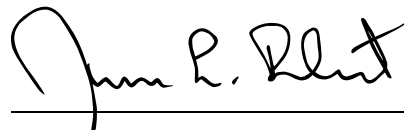
4 (d) the ends of justice will best be served by a continuance, and the ends of  
5 justice outweigh the best interests of the public and the defendant in any speedier trial,  
6 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

7 (e) the additional time requested between the current trial date of June 27<sup>th</sup>, 2022,  
8 and the new trial date is necessary to provide counsel for the defendant the reasonable  
9 time necessary to prepare for trial, considering counsel's schedule and all of the facts  
10 set forth above; and

11 (f) the period of delay from the date of this order to the new trial date is  
12 excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

13 IT IS THEREFORE ORDERED that the trial date in this matter shall be  
14 continued to October 11, 2022 and that pretrial motions shall be filed no later than  
15 September 1, 2022.

16  
17 DONE this 3rd day of June, 2022.

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21 The Honorable James L. Robart  
22 U.S. District Court Judge

23 Presented by:

24 /s/ Brad A. Meryhew  
25 Brad A. Meryhew  
26 Attorney for David Kubala